

building spray suction piping, were full of water.

FPC's letter of April 12, 1999, informed the staff that the request was being withdrawn because FPC had resolved the fire protection analyses concerns in a manner that allows valves DHV-34 and DHV-35 to be restored to the normally open standby configuration. With restoration of the valves to the normally open standby position, the need for the proposed amendment no longer existed.

For further details with respect to this action, see the application for amendment dated October 16, 1998, as supplemented December 22, 1998, and FPC's withdrawal letter dated April 12, 1999, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room located at the Coastal Region Library, 8619 W. Crystal Street, Crystal River, Florida.

Dated at Rockville, MD, this 27th day of April 1999.

For the Nuclear Regulatory Commission.

Leonard A. Wiens,

Senior Project Manager, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-361 and 50-362]

Southern California Edison Company (San Onofre Nuclear Generating Station, Unit Nos. 2 and 3); Exemption

I

Southern California Edison Company (SCE, the licensee) is the holder of Facility Operating License Nos. NPF-10 and NPF-15, which authorize operation of the San Onofre Nuclear Generating Station, Units 2 and 3. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

These facilities consist of two pressurized water reactors located at the licensee's site in San Clemente, California.

II

Section 50.71 of Title 10 of the Code of Federal Regulations (10 CFR), "Maintenance of records, making reports," paragraph (e)(4) states, in part, that "Subsequent revisions must be filed

annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months." The two San Onofre Nuclear Generating Station (SONGS) units share a common Final Safety Analysis Report (FSAR); therefore, this rule requires the licensee to update the same document within six months after a refueling outage for each unit.

III

Section 50.12(a) of 10 CFR, "Specific exemptions," states that:

The Commission may, upon application by any interested person, or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are (1) Authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. (2) The Commission will not consider granting an exemption unless special circumstances are present.

Section 50.12(a)(2)(ii) of 10 CFR states that special circumstances are present when "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.* * *". The licensee's proposed schedule for FSAR updates, 6 months following every Unit 3 refueling outage, but not exceeding 24 months, will ensure that the SONGS FSAR will be maintained current within 24 months of the last revision. The proposed schedule fits within the 24-month duration specified by 10 CFR 50.71(e)(4). Literal application of 10 CFR 50.71(e)(4) would require the licensee to update the same document within 6 months following a refueling outage for either unit, a more burdensome requirement than intended. Accordingly, the Commission has determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii).

IV

The Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Southern California Edison Company an exemption from the requirements of 10 CFR 50.71(e)(4) to submit updates to the SONGS UFSAR within 6 months following every Unit 3 refueling, not to exceed 24 months, beginning 6 months after the next Unit 3 refueling outage or 24 months from

the last update of the SONGS UFSAR, whichever is sooner.

Pursuant to 10 CFR 51.32, the Commission has determined that granting of this exemption will have no significant effect on the environment (64 FR 14470).

This exemption is effective upon issuance.

Dated at Rockville, MD, this 27th day of April 1999.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-2 (50-280/281)]

Virginia Electric and Power Co. Surry Independent Spent Fuel Storage Installation; Exemption

I

Virginia Electric and Power Company (Virginia Power), the licensee, holds Materials License SNM-2501 for receipt and storage of spent fuel from the Surry Power Station at an independent spent fuel storage installation (ISFSI) located on the Surry Power Station site. The facility is located in Surry County, Virginia.

II

Pursuant to 10 CFR 72.7, the Nuclear Regulatory Commission (NRC) may grant exemptions from the requirements of the regulations in 10 CFR part 72 as it determines are authorized by law, will not endanger life or property or the common defense and security, and are otherwise in the public interest.

Section 72.72(d) of 10 CFR part 72 requires each licensee to keep duplicate records of spent fuel and high-level radioactive waste in storage. The duplicate set of records must be kept at a separate location sufficiently remote from the original records that a single event would not destroy both sets of records. The applicant stated that, pursuant to 10 CFR 72.140(d), the Virginia Power Operational Quality Assurance (QA) Program Topical Report will be used to satisfy the QA requirements for the ISFSI. The QA Program Topical Report states that QA records are maintained in accordance with commitments to ANSI N45.2.9-1974. ANSI N45.2.9-1974 allows for the storage of QA records in a duplicate storage location sufficiently remote from